

## **REMARKS**

The following remarks are fully and completely responsive to the Office Action dated June 3, 2005. Claims 1-9 are pending in this application. In the outstanding Office Action, claims 1-9 were rejected under 35 U.S.C. § 102(e). No new matter has been added. Claims 1-9 are presented for consideration.

### **35 U.S.C. § 102(e)**

Claims 1-9 were rejected under 35 U.S.C. § 102(e) as being anticipated by NASA: MAVRIC Flutter Model Transonic Limit Cycle Oscillation Test, May 2001. In making this rejection, the Office Action asserts that this reference teaches each and every element of the claimed invention.

The publication, NASA: MAVRIC Flutter Model Transonic Limit Cycle Oscillation Test, is dated May 2001. In contrast, the priority date for the present application is December 5, 2000. Enclosed is a Verified Translation of the priority document in order to perfect Applicants' priority date of December 5, 2000. Since the priority date of the present application is prior to the publication date of NASA: MAVRIC Flutter Model Transonic Limit Cycle Oscillation Test, this reference has been removed as a prior art reference. Accordingly, Applicants request reconsideration and withdrawal of the rejection of claims 1-9 under 35 U.S.C. § 102(e).

## **Conclusion**

Applicants' remarks have overcome the rejection set forth in the Office Action dated June 3, 2005. Specifically, Applicants' remarks and Verified Translation of the priority document have removed NASA: MAVRIC Flutter Model Transonic Limit Cycle Oscillation Test as a proper prior art reference and thus overcome the rejection of claims 1-9 under 35 U.S.C. § 102(e). Accordingly, claims 1-9 are in condition for allowance. Therefore, Applicants respectfully request consideration and allowance of claims 1-9.

Applicants submit that the application is now in condition for allowance. If the Examiner believes the application is not in condition for allowance, Applicants respectfully request that the Examiner contact the undersigned attorney by telephone if it is believed that such contact will expedite the prosecution of the application.

In the event that this paper is not considered to be timely filed, Applicants respectfully petition for an appropriate extension of time.

The Commissioner is authorized to charge payment for any additional fees which may be required with respect to this paper to our Deposit Account No. 01-2300, making reference to attorney docket number 107348-00174.

Respectfully submitted,  
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Enclosures: Verified Translation of JP 2000-370217

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